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SPECTATOR

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past...
present...
future...

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Hospitals (T.H.) Vigo County Public Library

Community Affairs File

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Photo by Carolyn Bratcher



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2 THE SPECTATOR
MARCH 1, 1975

What is the coroner's job?

SP MAR 1 1975

Community Affairs File

Public Officials (Vigo Co.)

By Barbara L. Brugnaux

The January death of 14-year-old William R. Lamb following a high-speed police chase focused attention on the duties and powers of an oft-ignored county office--the coroner's.

At least two questions were provoked by the investigation following Lamb's death: what was meant by use of the term 'inquest' and did the coroner's verdict of justifiable homicide constitute interference in the judicial process?

Finding the answers provided some unexpected illumination on the administration of the Vigo County Coroner's office.

Inquest first came into the discussion Feb. 1 when Terre Haute Police Chief James Swift called on Coroner Robert J. Burkle to conduct an inquest on the Lamb death.

And here's where the confusion began. To those of us familiar with English novels and grade-B movies, an inquest is a public hearing with a jury impanelled to decide the cause of an unusual or suspicious death. Indeed, Webster's Dictionary cites such a hearing as its first definition of inquest. The second definition, however, is "inquiry, investigation." That's the definition the coroner's office uses, so Swift, whether or not he meant to, was in effect requesting the coroner to do what was already underway in the Lamb case, an investigation.

A check of state statutes regulating the coroner's office reveals that coroner's juries were obsolete as of 1879. Nor does the law provide authority for conducting any type of public hearing. So much for the movies.

The second question arose shortly after the Feb. 5 coroner's verdict of justifiable homicide. County prosecutor Michael H. Kearns, requesting a grand jury probe into the Lamb death, was quoted in news accounts/questioning the coroner's right to decide whether or not the death was either 'homicide' or 'justifiable'. Kearns said he felt such decisions were strictly within the realm of the judicial process.

According to Deputy Coroner George Kern, the coroner, after establishing the immediate cause of death, has a selection of six categories or labels that can be applied. Kern could not state any authority for the categories but referred the question to Marion County Coroner Dennis Nicholas.

Nicholas disagreed with Kern that there were six precise categories, stating that the coroner is bound only by the framework of the coroner's death certificate filed with the county board of health. The form provides four alternatives, accident, suicide, homicide or undetermined.

However, Nicholas, past president of the Indiana State Coroners' Association, did back Kern's point by noting that a coroner has the discretionary power to go beyond those alternatives, ruling, for example, justifiable homicide rather than just homicide.

The categories used by the Vigo County coroner's office, then, are:

- natural death;
- accidental death;
- suicide;

Is Burkle Coroner?

According to one source at the Vigo County Courthouse, Dr. Robert J. Burkle isn't really the county coroner. It seems Dr. Burkle never took the oath of office at the beginning of his second term nor received the official certificate of office, signed by the governor and the county clerk.

The certificate, which is bestowed following the oath, is still residing in a desk drawer in County Clerk Leland Larrison's office. Though neglected, the gold seal on the certificate is still shiny.

--homicide, defined as death at the hands of another person;

--legal homicide, execution by the state, and

--justifiable homicide, death at the hands of another person but in defense of life (self-defense) or the death of a fleeing felon.

The brouhaha really amounts to a case of official and conflicting loyalties. Prosecutor Kearns was correct in implying the coroner has no judicial power. That was clearly defined by the Indiana Supreme Court in a 1907 case which found that a coroner's inquest was a "mere finding," lacking the "first element of judicial power."

But whether or not an individual agrees with the coroner's final verdict does not dilute the fact that that official has the duty to rule on the cause of death and the power to make what may appear to be a judicial discrimination.

Obviously a verdict of justifiable homicide has no restraining power on the prosecutor's office. As one deputy prosecutor pointed out, the mere existence of the Lamb grand jury proves that point. But it does raise the question, what purpose does a coroner's verdict serve at all?

The answer is rooted in bland, bureaucratic necessity. According to Deputy Coroner Kern, an official cause of death must be registered on the death certificate before a funeral director can bury

or cremate a body. In the case of a violent or suspicious death, the coroner fulfills the duty of establishing cause.

(In a controversial case such as the Lamb investigation, however, burial is permitted prior to issuance of a coroner's report.)

As for administration of the coroner's office in Vigo County, here are the details:

Burkle, an orthopedic surgeon with offices at 2929 S. 1st St., has been coroner since 1969. He will be up for re-election in 1976. There is no such place as the coroner's office, but a special phone and the receptionist in Burkle's medical office handle the details.

Salary for the coroner is \$8,000. Clerical assistant is allotted \$4,790, according to this year's county budget.

Although many coroners are doctors, there is no statutory requirement that a coroner also be a physician.

Kern, director of Safety and Security at Indiana State University, has been deputy coroner since Burkle took office. The county pays \$5,408 for his services.

Annual budget for the entire office is \$25,998; \$18,198 in salaries, \$7,000 for autopsy fees, the remaining \$800 for office expenses.

The coroner's office has averaged 146 cases each year since Burkle took office. There have been 19 cases through Feb. 18 of this year.

As far as duties and powers go, state law assigns the coroner a variety of responsibilities. He is the only county official who may order an autopsy or exhumation; he is the only county official who has the authority to arrest the sheriff; in addition, he has the same law enforcement powers as the sheriff and is to act in the absence of the sheriff.

BAYH VISITS TOWN TO SAY "THANKS"

Senator Birch Bayh's visit to Terre Haute and other Hoosier cities last week may be an outcome of a new awareness on his part of the importance of constituent relations.

It was his second stop in the city in three weeks to say "thanks" for local support in his close win over Indianapolis Mayor Richard Lugar last November.

While here he announced that Susan McCarthy, who had handled his election campaign in this area, is being retained to serve as a liaison between Terre Haute area residents and his offices in Indianapolis and Washington.

He said that Susan will be available for constituent service in Terre Haute on a continuing basis.

An historic institution in the valley

Hospitals (T.H.)

Sp MAR 1 1975



Only Yesterday

By Frances E. Hughes

A historical institution in Terre Haute will be no more at the end of four years when the lease just agreed to by the Hospital Corporation of America and St. Anthony Hospital expires.

For by that time a new hospital will be built by the corporation and the present St. Anthony Hospital building will revert to the Hulman estate.

For it was Herman Hulman, grandfather of Anton Hulman, who brought the Sisters of St. Francis of the Perpetual Adoration to Terre Haute in 1884 to own and operate the hospital. He purchased the St. Agnes Academy building for \$30,000 and gave it to the Catholic order of sisters for as long as the building was used as a hospital.

When the building was purchased May 11, 1883, improvements amounting to \$20,000 were made, under the supervision of R. S. Cox. Among those who contributed to the improvement fund were W. R. McKeen, Fairbanks and Duenweg, T. B. Johns, Anton Mayer, F. Eshman, P. Schloss, Havens and Geddes, Mrs. S. A. Hemingway, E. H. Bindley, R. W. Rippetoe, P. J. Kaufman, Jonas Strouse, Bauermeister and Busch and J. F. Roedel.

Sisters from the order of nuns came from Westphalia, Germany, the same place Hulman had come from, in December of 1875. This was a nursing order but now some of the members of the order are teachers. In 1882, there were 82 members in this country. Those who first came to Terre Haute were a Sister Superior, Sister Raphael and Sister Matilda. Sister Willivalde was in charge of the first dispensary at the hospital.

St. Anthony Hospital was founded in 1882 with the assistance of Hulman and Dr. L. J. Williens, a surgeon who was practicing medicine in the area at the time.

The original hospital was located in a two-story building at Second and Mulberry streets. There were 14 rooms, three of the smallest being used to house the eight sisters and one postulant operating the hospital. There were 12 physicians on the staff. Eighty-two patients were cared for there from September, 1882 until January, 1883.

In 1883, Hulman bought the present building -- or rather the back of the present building -- and on Jan. 1 of the following year, the hospital was moved there. The building was originally occupied by the Western Female University, which was founded in 1851 and opened in 1858. In 1864, this school became St. Agnes Academy. It was closed in 1868 and the building remained empty until Hulman bought it 14 years later.

When Hulman and Dr. Williens founded

the hospital, it was the first hospital in Terre Haute. Until then, ill persons had been taken to the jail or poor houses for care.

When the new hospital building was opened, 125 rooms were available for patients. Patients could be of any denomination, color or financial standing. The water company furnished water free of charge and the gas company charged half rate.

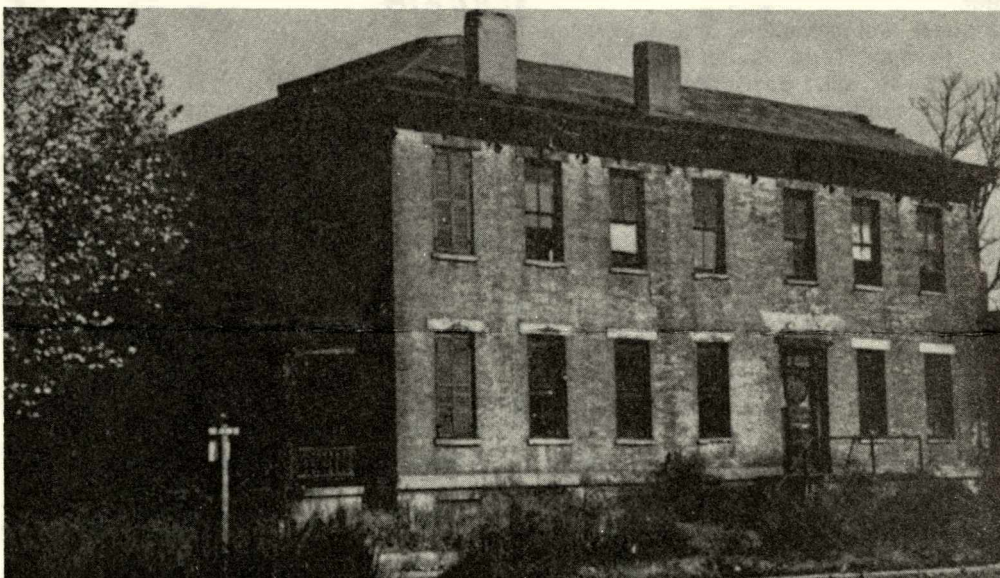
Heavy emphasis was placed on charity, with a minimum of 20 percent of charity work over the first 50 years.

In 1888, the hospital guild was organized under the name of St. Anthony's Union. When a Junior Guild was organized, the name of the first guild was changed to Senior Guild. Now, both guilds have com-

Ocean and established a new province in America. They arrived at Lafayette, Ind., on Dec. 12, 1875, and quickly established their own small beginning which is known today as St. Elizabeth Hospital.

Today, the Sisters of St. Francis are devoted to performing spiritual and corporal works of mercy by working in hospitals in Terre Haute, Beech Grove, Lafayette, Michigan City, Logansport, Hammond, Chicago Heights, Evanston, Ill.; Memphis, Tenn.; Louisville, Ky., and Cleveland, Ohio. The sisters of the order also serve in schools as teachers and serve as missionaries all over the world.

In a January, 1883, issue of the Terre Haute Gazette, is a story about the Hulman acquisition of the building which became St. Anthony Hospital. In it is an interesting



The first St. Anthony Hospital at Second and Mulberry streets in 1882.

bined their efforts under the name of St. Anthony Senior Guild.

In 1901, the west wing was added to the original building, and in 1908, the north wing was built on. The south wing was constructed in 1922, and the laundry and heating plant, in 1961. The last addition to the building was in 1966 when the east wing was added.

By 1921, the hospital had grown to a 175-bed medical care institution and was admitting more than 2,500 patients annually. In 1965, a special x-ray department was instituted and in 1968, a coronary care unit was installed.

Unfortunately, St. Anthony Hospital will not be in existence on its 100th anniversary in 1982. It has indeed served the community well for these many years.

The Catholic community of the Sisters of St. Francis of the Perpetual Adoration dates back to 1860 in Olpe, Germany, when Sister Theresia Bonzel was invested into the Franciscan Habit which marked the founding of the Congregation.

Fifteen years later, six sisters were chosen to journey across the Atlantic

insight as to the duties and attitudes of the sisters who operated the hospital.

"Sister Matilda, how do you manage to keep these floors so immaculate? There must be patients who are filthy in their habits and spit over everything".

"Yes, we often have patients of that character but we accomplish their reform very quickly' and the sister's eyes twinkled as she thought of the method."

"How is it?"

"If they are angry and storm or no matter how they are, we make no ill natured answer but quietly get water and a cloth and kneeling down on the floor, scrub the place. And that does break their hearts. All that's manly in them rebels against their spitting on the floor again or doing their wanton injury."

So patient were the sisters of those days and how hard they must have worked!

When St. Anthony Hospital is closed in four years, it will be a nostalgic moment, no doubt, for many former patients, sisters, hospital workers, doctors, nurses and old-time citizens of Terre Haute to whom the hospital has had a special meaning.

The name "St. Anthony's" will shortly disappear from the southside hospital it has graced for close to a century, according to Dr. Thomas Frist Jr., executive vice president of the Hospital Corporation of America, lessee of the health facility.

In a telephone interview with *The Spectator*, Dr. Frist said the current hospital will be renamed by the planned new board of trustees, probably in 60 to 90 days.

Dr. Frist touched on a number of questions concerning the operation of the old hospital and plans for the new medical center announced February 13 jointly by HCA and the Poor Sisters of St. Francis Seraph of the Perpetual Adoration.

He said the pending name change was a joint decision of the sisters and HCA. Its purpose primarily is to help establish an identity for HCA and the planned new facility.

HCA, a Nashville-based for profit corporation, operates 68 hospitals with 10,400 beds in the United States. Two-thousand more beds are under construction. HCA also has, either in operation, under construction or planned, hospitals in four foreign countries.

The firm will pay a reported \$2 million to the sisters during the four-year lease period. The sisters will retain ownership of the building, property and equipment, while HCA will manage the hospital during the four years.

At the same time, Dr. Frist says his company will begin construction of a multi-million dollar medical center at a site yet to be picked. When it is completed, HCA will leave the old St. Anthony's property and continue operations in the new center.

Following are highlights of *The Spectator's* interview with Dr. Frist.

Spectator: Since there are no for-profit hospitals currently operating in Indiana, why did HCA choose Terre Haute as the first site?

Frist: We have been looking for the past four or five years for a more or less ideal type of community in Indiana to make our first market penetration in the midwestern states. When St.

specialists isn't there. We hope to remedy that.

Spectator: You use the term "medical center" rather than hospital. How do you define that?

Frist: It is a medical campus providing ample acreage to expand and meet the needs of the community over the next 20 to 30 years. Depending on future studies and planning council

ning to keep the entire hospital open?

Frist: Yes, we will use all of the hospital. As long as we work in good faith and move as rapidly as possible on the new medical center, we believe the state will allow us to use the whole building.

Spectator: Will HCA abide by the Catholic Code of Ethics which prohibits abortions and tubal ligations?

'... to build a magnificent new medical center ...'

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Dr. Thomas Frist, Jr.

Interview by Fred J. Nation

Anthony's approached us, the city of Terre Haute with a community hospital that needed to be replaced looked like a setting where we could make a significant contribution. We want to build a magnificent new medical center which both the community and we can point to with pride.

Spectator: What other factors made you favorable to Terre Haute?

Frist: It seems to have a stable economy and fine doctors. And there are patients leaving to go for some kinds of medical treatment to St. Louis, Indianapolis, Chicago and other places for kinds of services not presently provided. You have fine physicians, as fine as there are anywhere, but some of the equipment and facilities to attract more doctors and

approval, we hope to offer not only acute care, but supporting out-patient and even in-patient services, perhaps medical offices, nursing homes etc. We have not done an extensive study yet, but we will over the next year.

Spectator: There has been some talk that you plan to have a site picked and announced by September for the new medical center.

Frist: We hope to. Our real estate department will initiate demographic studies and work with local people to make a site recommendation to the new local board.

Spectator: Since you have built so many hospitals, do you have basic plans that you follow?

Frist: Yes, we have four or five basic plans that we pick from and then tailor to the needs of the particular community. The Terre Haute medical center will probably resemble most closely our hospital in Richmond, Va., or the one currently under construction in Charleston, S.C. It will be 250-300 beds to begin with, with the capability for later expansion.

Spectator: Will all of the present services of St. Anthony, including obstetrics and emergency service, be maintained in the old and the new facilities?

Frist: Yes, all services will be retained and hopefully will be increased during the next four years while in St. Anthony's.

Spectator: Since the current St. Anthony Hospital has some portions which the state says do not meet fire standards, are you plan-

Frist: During the period of the four-year lease, the contract with the sisters requires that we continue to operate under that code. Once the hospital moves, that will no longer be a requirement. Then such policies will be a board decision.

Spectator: At the end of the lease period, what will HCA own? The receivables? The equipment?

Frist: We will assume the receivables when we assume the lease. Otherwise, the sisters will retain ownership of the building, the grounds, all medical equipment and furnishings. When we leave, it will all still be theirs.

Spectator: During the next four years, will there still be a need for charity balls and volunteer workers?

Frist: Yes. While the operating company will be for-profit and taxed during the next four years, gifts to the hospital itself will still be tax deductible because it will still be owned by the sisters and the gifts will be to them. We hope equipment will be added during this time--it is needed in the current hospital. Most of our own hospitals have active volunteer programs for nursing scholarships and such. They are important to continue.

Spectator: Did HCA commit itself to purchase of any other property or existing medical office buildings in Terre Haute?

Frist: I think I know what you are referring to. No. I have been pleasantly surprised and refreshed at Terre Haute. I was not approached for any side transactions, which sometimes happens.

About the building

What will happen to the old St. Anthony's Hospital facility when it is abandoned?

When Herman Hulman, grandfather of Anton Hulman Jr., donated the old St. Agnes School and property to the Poor Sisters of Saint Francis, the covenant apparently contained a clause providing for reversion of the property to the Hulman family if it ever ceased to be operated as a hospital.

As far as can be determined, when Hospital Corporation of America's four-year lease with

the sisters expires, the building and grounds will revert to the Hulman interests.

Because the newer sections of the building are constructed around sections of the old woodframe school, it is highly unlikely the hospital will be able to be retained as any kind of health care facility.

The fate of the building is not yet known, but the wrecker's ball is a likely prospect. Nobody seems to be too interested in the building.

SENIOR CITIZENS' MENU

MONDAY 3/3/75

Veal Cutlet with Tomato Sauce
Green Peas
Tossed Salad with Dressing
Apple
White Bread
Margarine
Milk
Beverage

TUESDAY 3/4/75

Liver & Onions
Green Lima Beans
Irish Potatoes
Oatmeal Cookie
White Bread
Margarine
Milk
Beverage

WEDNESDAY 3/5/75

Roast Beef
Au gratin Potatoes
Green Beans
Vanilla Pudding
Roll
Margarine
Milk
Beverage

THURSDAY 3/6/75

Smoked Sausage
Baked Beans
Carrot and Apple Salad
Tapioca Pudding
Rye Bread
Margarine
Milk
Beverage

FRIDAY 3/7/75

Spaghetti with Meat Sauce
Chopped Broccoli
Perfection Salad
Brownie
Margarine
Milk
White Bread
Beverage

DINING SITES

Salvation Army
19th and Locust

Bethany United Church of Christ
201 W. Miller Ave.
West Terre Haute.

Dreiser Square Community Center
South Third and College

Garfield Towers
1220 Garfield Ave.

New Superior at St. Anthony

Fifty years ago

*New Sister Superior
Comes to St. Anthony's*

Sister Superior Agathina is now at the head of the sisters at St. Anthony's Hospital. She came here from Louisville a short time ago to take the place of Sister Augustine who retired from active service at age 80.

"I understand that the people in Terre Haute have always been loyal in their support of St. Anthony's," she said, "and I am sure they will be in the future. It is good work they are doing and I hope it will continue. As far as I know there will be no changes in management of the hospital. Things will go on as usual."

The following are the members of the present hospital staff: Dr. O. T. Allen, Dr. H. B. Dean, Dr. B. M. Hutchings, Dr. Joseph Kunkler, Dr. William C. Kunkler, Dr. Dan Tucker Miller, Dr. James J. Moorhead, Dr. T. W. Moorhead, Dr. E. J. Schott, Dr. V. A. Shanklin, Dr. M. B. VanCleave, Dr. B. G. R. Williams and Dr. F. L. Wedel.

*Tax Ferret Finds Fairbanks
Estate Owes Taxes*

One of the largest hauls ever made in the state of Indiana by tax ferrets was the \$60,440 back taxes collected recently from the estate of the late Crawford Fairbanks by Joseph Workman of Spencer who has charge of that work in Vigo County. Mr. Workman's commission, 35 per cent of the amount collected, amounted to \$21,154.

Mr. Workman works in several other counties besides Vigo. Tax ferrets make contracts with the county commissioners for a certain per cent of all taxes on "sequestered personal property," which the county has missed, that they are able to collect. Then they go to work in their own way. If they collect nothing, it is their own loss. It is estimated that some ferrets make as much as \$50,000 to \$75,000 a year.

*Subdivision Company To Develop
Twenty-fifth and College Land*

Another tract of land bordering the southeast part of the city will be added to Terre Haute's rapidly growing list of up-to-date subdivisions, according to plans of the Auburndale Land company, which was organized this week.

The company has purchased a large section of the ground at Twenty-fifth and College avenue from the Herz estate. Streets are to be laid out, sewer, gas and water system installed and other improvements made. Some landscape gardening will be done and the subdivision

will be made as attractive as possible.

The officials of the new company are W. E. Steen, president; E. E. Reiman, vice president; C. C. Newlin, secretary-treasurer; G. O. Dix, Dr. C. H. Edwards, directors, and R. E. Worley, manager.

*Unemployment Up Locally
Says Chamber of Commerce*

The Chamber of Commerce has been investigating reports that about 5,000 persons are unemployed locally. Fred Rakemann, secretary of the local Chamber, says conditions might be a little worse in Terre Haute during the current business slump because of the large coal mining business here.

There are about 23,500 persons over the age of ten years employed in local mercantile business. It is the only branch locally that has not fallen off.

The coal mines currently are working only about 35 to 40 per cent of capacity. Only about 12,000 of the estimated 28 to 30,000 miners in the area are employed. Railroad employment is also down, with only about 3,000 being employed at present. Local factories are working about 70 per cent of capacity, with 9,000 persons employed.

*Sullivan Mine Disaster Costs
Terre Haute Firm \$200,000*

The mine disaster at Sullivan, which cost the lives of 51 miners, will cost the Lynch Coal Operators Reciprocal Association of Terre Haute at least \$200,000.

The City Coal Mine of Sullivan is required, by the state law of Indiana, to pay 55 per cent of the wages of a miner who is disabled or killed on a maximum wage of \$24. This amounts to \$13.20 a week.

To protect their businesses from being wiped out by compensations in case of an accident, about 80 per cent of the coal operators in Indiana have formed the Lynch Coal Operators Reciprocal Association, with headquarters in Terre Haute.

Personal and Society

Miss Effie Dobbs has returned from a tour of the country and after passing through a dozen states and many cities, she has declared, "There is no place like Terre Haute."

Local photographer Willard Martin this week passed all tests of patience and endurance. He took portraits of exactly 215 babies for the Better Babies Contest sponsored by the Kiwanis Club. Mr. Martin, the father of a daughter Mickey, is well versed in baby chatter and prattle and cajoled smiles on all the contestants in a surprising manner.